

JOSHUA DREW.

[To accompany bill H. R. No. 511.]

JUNE 24, 1842.

Mr. RAYNER, from the Committee on Commerce, submitted the following

REPORT:

*The Committee on Commerce, to whom was referred the petition of Joshua Drew, of Dansbury, in the State of Massachusetts, and the accompanying documents, report:*

That the memorialist petitions for repayment to him of the amount of a fine imposed by the collector of the port of New Orleans for a supposed violation of the laws of the United States in regard to the shipment and return of seamen. The facts, as they appear from the papers in the case, are substantially these: That, on the 29th of November, 1837, the petitioner left the port of New Orleans, commanding the ship *Mattakuset*, bound for Liverpool, with a crew of seventeen persons, all Americans except two, and that he returned to New Orleans direct from Liverpool, with the same crew, (excepting one man, who deserted in Liverpool,) on the 7th April, 1838; that, on the arrival of the petitioner in the port of New Orleans, the collector of that port imposed a fine of two hundred and fifty-three dollars for an infraction of the law relating to "return seamen."

The act of the 28th February, 1803, requires that, before a clearance be granted to any vessel bound on a foreign voyage, the master thereof shall deliver up to the collector of the customs of the port a list containing the names, residences, places of birth, and a description of the persons who compose his ship's company; to which list the oath of the captain shall be annexed, certifying that the said list contains the names of the crew, together with the places of their birth, their residence, as far as he can ascertain them; and that he shall deliver a certified copy of the list to the first boarding officer at the first port of the United States at which he shall arrive on his return thereto, and then and there produce the persons named therein to such boarding officer, who shall compare the men with such list, and report the same to the collector.

The petitioner admits that his crew did not answer exactly to the list which he gave to the collector before his clearance was granted. In consequence of his non-compliance with the regulations of the act of 1803, the fine was imposed.

Owing to the circumstances attending this case, the committee believe that the petitioner did not design any violation of the law regulating the embarkment and return of seamen. The petitioner states that he was